

REMARKS**Claim Rejections – 35 U.S.C. § 101**

The Examiner has rejected claims 17-22 under 35 U.S.C §101, as being directed to non-statutory subject matter. Applicant has amended claims 17-19 and 21-22 specifically to the Examiner's recommended language to cure the grounds for the 35 U.S.C §101 rejection. Furthermore, Applicant has cancelled claim 20. Thus, Applicant respectfully requests removal of the 35 U.S.C §101 rejection for pending claims 17-22.

Claim Rejections – 35 U.S.C. § 102

The Examiner has rejected claims 1, 17, and 23 under 35 U.S.C §102(e), as being anticipated by U.S. Patent No. 6,542, 730 Hosain ("Hosain"). For the reasons set forth below, Applicant asserts that the cited reference fails to anticipate Applicant's invention as claimed in claims 1, 17, and 23.

Hosain discloses a "system and method for temporary or permanent disabling of a cellular control device." (Hosain abstract) Hosain further describes a "cellular control module include[ing] disable logic to respond to a temporary disable command, and disable logic to respond to a factory disable command." (Hosain abstract)

With respect to independent claim 1 in the presently claimed invention, Applicant teaches and claims:

"A method, comprising sending a message on a wireless network to a mobile computer, if the mobile computer receives the message, the mobile computer sending a confirmation that the message

was received to the message sender, and disabling the mobile computer, and *if the message sender does not receive the acknowledgement, the message sender queuing the message, checking the wireless network for the reconnectivity of the mobile computer to the network, and sending the queued message to the mobile computer upon the mobile computer reconnecting to the network.*” (Claim 1)
(Emphasis added)

In the Examiner’s office action mailed on August 28, 2006, the Examiner acknowledges that Hosain does not teach queueing the message. Thus, at least in regard to queueing the message if the message sender does not receive acknowledgement, Applicant respectfully submits that Hosain does not teach or anticipate claim 1 of the presently claimed invention.

In regard to independent claims 17 and 23, Hosain does not anticipate Applicant’s invention for the same reason as independent claim 1. Again, Hosain at least does not teach queueing the message if the message sender does not receive acknowledgement. Thus, Applicant respectfully submits that Hosain does not teach or anticipate claims 17 and 23 of the presently claimed invention.

As such, Lee does not teach or anticipate Applicant’s invention as claimed in pending claims 1, 17, and 23. Applicant respectfully requests withdrawal of the 35 U.S.C. 102(e) rejection of claims 1, 17, and 23..

Claim Rejections – 35 U.S.C. § 103

Applicant respectfully requests reconsideration of the application as amended. The Examiner has rejected claims 2, 10, 12, 13, 18, 22, 24, and 28 under 35 U.S.C §103(a), as being unpatentable over U.S. Patent No. 6,542,730 (Hosain) as applied to claims 1, 17, and 23 above, and further in view of US Patent No. 6,741,851 Lee et al. (“Lee”).

Lee discloses a “method for protecting data stored in a lost mobile terminal and a recording medium for storing the data are provided.” (Lee abstract) The method includes utilizing an unreadable data request for making stored data unreadable and/or a data removal request for deleting stored data. (Lee, column 4, lines 45-47). Other methods for making stored data unreadable include hashing and mapping stored data onto null characters , making the input/output function of a portable telephone inoperable, or completely removing stored data (Lee, column 4, lines 49-52).

Claims 2, 10, 12, 13, 18, 22, 24, and 28 are dependent upon independent claims 1, 17, and 23 respectively. Thus, for at least the same reasons advanced above with respect to independent claims 1, 17, and 23, Applicant respectfully submits that Hosain and Lee, each taken alone or in combination, do not render these dependent claims obvious. Thus, because Hosain and Lee, each taken alone or in combination, do not teach, suggest, or render obvious Applicant’s invention as claimed in pending claims 2, 10, 12, 13, 18, 22, 24, and 28, Applicant respectfully requests withdrawal of the 35 U.S.C. 103(a) rejection of claims 2, 10, 12, 13, 18, 22, 24, and 28.

The Examiner has rejected claims 3-6, 8, 9, 16, 19-21, and 25-27 under 35 U.S.C §103(a), as being unpatentable over U.S. Patent No. 6,542,730 (Hosain) and US Patent

No. 6,741,851 (Lee) in view of U.S. Patent No. 6,774,797 Freathy et al. (“Freathy”) and US Patent Application No. 2003/0199267 Iwasa et al. (“Iwasa”). Additionally, the Examiner has rejected claims 7, 14, and 15 under 35 U.S.C §103(a), as being unpatentable over U.S. Patent No. 6,741,851 (Lee), U.S. Patent No. 6,542,730 (Hosain) and US Patent No. 6,774,797 (Freathy) and US Patent Application No. 2003/0199267 (Iwasa) as applied to claim 4 above, and further in view of US Patent No. 6,757,531 Haaramo et al. (“Haaramo”). For the reasons set forth below, Applicant asserts that the cited references fail to teach, suggest, or render obvious Applicant’s invention as claimed in claims 3-9, 14-16, 19-21, and 25-27.

Freathy discloses a tracking tag system worn by an individual in cooperation with a monitoring center to monitor the individual’s location. Additionally, the system allows for permissible and impermissible activities for the tag wearer. (Freathy abstract)

Iwasa discloses an information processing apparatus equipped multiple communication modules that are wirelessly linked. The apparatus can keep an OS from starting if a password is not entered. (Iwasa abstract)

Haaramo discloses a method for voice based communication between a number of mobile terminals of a telecommunication network. The method includes steps of creating a group of terminals and storing group information in each of the terminals. Additionally, the method includes recording a voice message in one terminal, dispatching that message to the other terminals, and receiving the message at the other terminals. (Haaramo abstract)

Claims 4, 20, and 26 have been cancelled.

The Examiner has stated on page 8 of the office action mailed on August 28, 2006 that Freathy teaches a form of queuing the message, specifically Freathy column 6, lines 45-53. That particular section of Freathy states the following:

“At the end of the sleep period, the wireless modem will wake and send a wake message to the monitoring center. The monitoring center will know that the tag has been in sleep mode and is now in wake mode. The monitoring center can then repeat any necessary and/or unanswered messages. The wireless modem will check for messages and process any messages. Once all messages have been processed, the tag can automatically return to sleep mode for the predefined period of time.” (Freathy column 6, lines 45-53) Freathy’s method specifically teaches the wireless device initiating contact with the monitoring center upon entering wake mode.

As stated above, independent claim 1 claims in part “*if the message sender does not receive the acknowledgement, the message sender queuing the message, checking the wireless network for the reconnectivity of the mobile computer to the network, and sending the queued message to the mobile computer upon the mobile computer reconnecting to the network.*” The method in Freathy requires the wireless modem within the mobile computer device to actively send a wake message to the monitoring center (i.e. the sender). On the other hand, Applicant’s mobile computer just needs to establish a connection to the wireless network and does not require any proactive management of communicating with the message center.

Rather, the sender in Applicant’s method checks for reconnectivity of the mobile computer to the general network and sends the message upon seeing the connection. Applicant’s method also does not require the mobile computer to proactively check a

message center for messages after it establishes contact. Again, rather, Applicant's sender sends the message upon seeing the connection established regardless of what the mobile computer is doing. This is dissimilar to Freathy. The method in Freathy requires the mobile computer to contain additional logic associated with proactively contacting the message center instead of the message center checking for connectivity of the mobile computer to the network. The method in Freathy also requires the mobile computer to proactively check for messages, such as a disabling message sent to the mobile computer. Applicant's method as claimed in claim 1 specifically has the logic associated with those processes contained within the sender. This removes unnecessary logic from the mobile computer as well as allowing for a more robust disabling algorithm when considering the mobile computer may be compromised. Thus, it would not be obvious to combine the method in Freathy with Hosain and Lee to render Applicant's presently claimed invention obvious.

Furthermore, claims 3-6, 8, 9, 16, 19-21, and 25-27 are dependent upon independent claims 1, 17, and 23 respectively. Therefore, for at least the same reasons advanced above with respect to independent claims 1, 17, and 23, Applicant submits that Hosain, Lee, Freathy, Iwasa, and Haaramo, each taken alone or in combination, do not teach, suggest, or render obvious Applicant's invention as claimed in pending claims 3-6, 8, 9, 16, 19-21, and 25-27. Thus, Applicant respectfully requests withdrawal of the 35 U.S.C. 103(a) rejection of claims 3-6, 8, 9, 16, 19-21, and 25-27.

If there are any additional charges, please charge Deposit Account No 02-2666.

If a telephone conference would facilitate the prosecution of this application, the

Examiner is invited to contact Michael J. Mallie at (408) 720-8300.

Respectfully submitted,

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